

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ZACHARY ROSENBAUM,

Plaintiff,

v.

CITY OF SAN JOSE, and others,

Defendants.

Case No. 20-cv-04777-NC

**PRETRIAL SCHEDULING
ORDER**

The parties attended a Pretrial Conference on November 21, 2022. Prior to trial set to begin on December 5, 2022, IT IS HEREBY ORDERED THAT the following deadlines are set:

1. TRIAL BIFURCATION

- As noted in an earlier order, the jury's determination of punitive damages amounts is bifurcated. *See* ECF 129.
- The Court will update the amount of time permitted for trial after ruling on Defendants' motion for summary judgment and the parties' motions in limine.

2. DISCOVERY EXCERPTS

- If the parties plan to use excerpts from depositions, interrogatory answers, or responses to requests for admission (other than those solely

for impeachment or rebuttal) at trial, they must meet and confer and file a list and proposed order addressing any disputes on or before **November 30, 2022**.

3. COVID PROTOCOLS

- The Court presently does not require jurors to obtain the COVID-19 vaccine and/or booster. However, the parties may stipulate to requiring all jurors to be vaccinated against COVID-19 by December 2, 2022.
- The parties must also alert the Court as to whether any witnesses or representatives require elevated COVID-19 precautions by December 2, 2022.
- All attorneys, parties, and witnesses are recommended to take reasonably available preventative measures, such as flu vaccines and COVID-19 vaccines and boosters.

4. TRIAL SCHEDULE

- Jury selection begins December 5, 2022, at 9:30 a.m.
- Trial day is 9:30 a.m. to 4:30 p.m. each weekday until verdict.
- All witnesses will testify in person absent further court order.
- The trial will take place in Courtroom 5, 4th Floor, U.S. District Court, 280 S. First Street, San Jose, California.

IT IS SO ORDERED.

Dated: November 22, 2022


 NATHANAEL M. COUSINS
 United States Magistrate Judge